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The African Union and the Libyan Crisis: Putting the Records Straight

African issues have long suffered from either a lack of exposure in the mainstream media, marginalization and misrepresentation or from outright silencing. The case of the African Union's intervention in Libya is a classic example of how African efforts go unreported or are twisted to suit a hostile agenda.

The Commission has been baffled by erroneous reports that the AU's actions in Libya were motivated by a desire to protect Colonel Muammar Qaddafi's regime and that, following his downfall, the Union was delaying recognition of the new Libyan authorities in order to force the inclusion of the Libyan former leader's supporters into the new Government.

There is nothing further from the truth than these assertions. They run contrary to the decisions taken by the relevant AU organs on the Libyan matter, as they do to the follow-up actions that have been taken by the Commission. It is against this background that I have, on behalf of the Commission, decided to address publicly the key issue of the AU's intervention in Libya.

It is important to start by situating the AU's efforts in the context of its reaction to what has now come to be known as the "Arab Spring". The popular uprisings that occurred in Tunisia and in Egypt posed serious doctrinal problems because they do not correspond to any of the cases envisaged by the 2000 *Lomé Declaration on Unconstitutional Changes of Government*. While the AU, like other international players, did not anticipate these developments, it nonetheless reacted creatively. Indeed, the AU exhibited the necessary flexibility, basing its response not on a dogmatic interpretation of the existing texts, but rather on the need to contribute to the attainment of the overall AU objective of consolidating democracy in the continent. Notably, the African leaders welcomed the developments in Tunisia and Egypt, stressing that they provided an opportunity for Member States to renew their commitment to the AU agenda for democracy and governance, to inject additional momentum to efforts being exerted in this regard and to implement socio-economic reforms adapted to each national situation.

For a number of reasons, the democratic revolution in Libya followed a different path from those of Tunisia and Egypt.



From the very start, the AU made it clear that any solution to the crisis had to be based on the fulfilment of the legitimate aspirations of the Libyan people for democracy, respect for human rights and good

governance. The AU strived to secure a Libyan consensus on the establishment of inclusive transitional institutions that would manage the country until such a time that elections are held. This clearly implied Colonel Qaddafi's relinquishing power to those new institutions. Our ultimate objective was to avoid war. As a regional organisation, diplomacy is our main weapon and the use of force is always a last resort when all other options have been exhausted.

Building a consensus on the Elements for a Comprehensive Solution to the Libyan Crisis

In Libya, as in other countries affected by the "Arab Spring", the AU based its action on the need to contribute to the achievement of the overall objectives sought by the Union, namely peace, stability, democratic governance, respect for human rights, justice, prosperity and unity.

As early as 23 February 2011, the Peace and Security Council (PSC) expressed its deep concern over developments in Libya, strongly condemning the indiscriminate and excessive use of force against peaceful demonstrators. It also underscored the legitimacy of the aspirations of the Libyan people. The first UN Security Council resolution on the matter, which referred the situation in Libya to the ICC and imposed sanctions on Libyan individuals and entities, was adopted three days later.

At its 265th meeting held on 10 March 2011 at the level of Heads of State and Government, the PSC agreed on a roadmap for resolving the Libyan crisis. It revolved around the following elements: (i) immediate cessation of all hostilities; (ii) cooperation of the concerned Libyan authorities to facilitate the timely delivery of humanitarian assistance to needy populations; (iii) protection of foreign nationals, including the African migrant workers living in Libya; and (iv) dialogue between the Libyan parties and establishment of a consensual and inclusive transitional government. The PSC established a High-Level *ad hoc* Committee to follow-up on the implementation of the Roadmap. The main objective was to ensure that the legitimate aspiration of the Libyan people to democracy was achieved.

One week after the adoption of the AU Roadmap, the UN Security Council passed resolution 1973(2011), in which it imposed a no-fly-zone over Libya to protect the civilian population, stressed the need to intensify efforts to find a solution to the crisis and, in this regard, formally acknowledged the role of the *ad hoc* Committee. The resolution enjoyed the support of all the African members of the Security Council, who were genuinely driven by a commitment to protect civilians in Libya. Had just one of them abstained, there would have been no such resolution.

Working towards the Implementation of the AU Roadmap

The members of the *ad hoc* Committee met in Nouakchott, on 19 March 2011. They were planning to travel to Libya the following day, to interact with the parties. As required by resolution 1973(2011), the Committee sought authorization for the flights carrying its members to Libya. This request was denied. In actual fact, the military campaign to enforce resolution 1973 started the very day the *ad hoc* Committee was meeting in Nouakchott.

On 25 March 2011, in Addis Ababa, the AU convened a consultative meeting that brought together all international stakeholders. The meeting welcomed the efforts of the High-Level *ad hoc* Committee and reached a consensus on the elements of the AU Roadmap.

On 10 and 11 April 2011, the *ad hoc* Committee undertook a visit to Libya. In Tripoli, the then Libyan authorities confirmed their acceptance of the AU Roadmap. In Benghazi, the discussions with the NTC leadership focused on the need for an urgent ceasefire. The objective was to ensure the effective protection of the civilian population and to create conducive conditions for the fulfilment of the legitimate demands of the Libyan people.

On 26 April 2011, the PSC, meeting at ministerial level, reviewed the situation in Libya. On the eve, the *ad hoc* Committee interacted with the Libyan parties. A month later, and in view of the continued deterioration of the situation in Libya, the Assembly of the Union convened an extraordinary session. It reiterated the need for a political solution, and called for an immediate end to all attacks against



sefire that would lead to the establishment of a consensual transitional period,

elections that would enable the Libyans to freely choose their leaders. The Assembly stressed the imperative for all concerned to comply with both the letter and spirit of resolution 1973.

On my part, I participated, as an invitee, in a number of meetings devoted to the Libyan crisis. I also traveled to foreign capitals, including Paris, London, Brussels, Washington and Rome to explain the AU Roadmap and seek the support of international partners for it.

Injecting a New Momentum to the Peace Efforts

At its Malabo Summit, in July 2011, and following the commitment of Colonel Qaddafi not to be part of the negotiation process, the Assembly reviewed and endorsed the Proposals for a Framework Agreement submitted by the *ad hoc* Committee. These proposals clearly stipulated that there should be a transfer of power to an interim Government, to be put in place immediately upon the conclusion of the envisaged national dialogue. In mid-July 2011 and early August, the AU met with the Libyan parties to exchange views on their reactions to the Proposals.

On 21st August 2011, while AU's efforts were underway, the NTC fighters entered Tripoli. They have since extended their control to the entire country.

At its summit level meeting held in Addis Ababa, on 26 August, the PSC took note of these new developments. It encouraged the Libyan stakeholders to accelerate the process leading to the formation of an all-inclusive transitional government that would occupy the seat of Libya at the AU.

On 5 September 2011, I received a letter from the NTC leadership, in which the latter stressed the strategic orientation of its African policy, as well as its commitment to give priority to national unity and to protect all foreign workers within Libya, including the African migrant workers. This was in response to the demand I made for such a commitment from the NTC.

On its part, the High-Level *ad hoc* Committee, at a meeting held in Pretoria, on 14 September 2011, reiterated the continued relevance of many provisions of the AU Roadmap. It committed itself to working with the NTC and all other Libyan stakeholders.

On 20 September 2011, in New York, the Chairperson of the Union indicated that the "AU recognizes the NTC as the representatives of the Libyan people as they form an inclusive transitional government". Subsequently, the PSC, recalling the assurances formally provided by the NTC and taking into account the uniqueness of the situation in Libya, authorized the current authorities to occupy the seat of Libya at the AU. It also decided to establish an AU Liaison Office in Tripoli, to assist in the efforts aimed at stabilizing the situation in the country, promoting national reconciliation and facilitating the transition process.

Rebuilding the Nation and Addressing the Regional Implications of the Crisis

All the initiatives enumerated above are a clear expression of Africa's solidarity with the Libyan people. They were driven by a genuine commitment to do whatever was possible to facilitate dialogue among Libyans, ensure that they owned any solution to the crisis, avoid further suffering and create conditions conducive to a smooth and peaceful transition. The AU was also aware of the risks that continued fighting in Libya posed to regional stability and security.

In spite of the challenges faced and the lack of support from important members of the international community, the AU never relented in its efforts. It acted within the framework of its own decisions and the relevant UN Security Council resolutions. It deliberately chose to address the Libyan crisis in a manner that took into account both the immediate and the long-term challenges. It had no, and still has no, other agenda than the interests of the Libyan people.

The issues raised by the AU from the onset of the crisis remain as valid today as they were yesterday. How best to promote an inclusive transition to avert the instability and chaos that would come with exclusion of key stakeholders? How to address the issue of reconciliation, heal the wounds of the past and deliver justice? How to ensure that the legitimate demands of the Libyan people to democracy, human rights, good governance are indeed fulfilled?

The AU was steadfast in seeking a political solution. So it will be in supporting the transition process, accompanying the efforts of Libyan stakeholders and, to this end, working closely with the NTC.



The AU cannot do otherwise, as Libya is a full-fledged member of the African family. The fate of the Libyan people is inseparable from that of the rest of their African brothers and sisters, with whom they have historical ties. A stable and democratic Libya will be a tremendous asset for the continent. Conversely, an unstable Libya will first and foremost affect its African neighborhood and beyond.

We also need to contend with the regional dimensions of the crisis in Libya. The AU has continuously drawn attention to the proliferation, in the region, of weapons emanating from the Libyan military depots. To some, these concerns seemed exaggerated when they were first expressed. Today, there is a growing realization within the international community of the gravity of the threat posed by this situation and the need for a concerted international action to address it. This is all the more urgent as some of the countries in the Sahelo-Saharan belt are in a fragile situation, having to deal with both latent rebellions and terrorist groups.

The AU was also at the forefront in highlighting the plight of African migrant workers, calling for concrete steps to guarantee their safety and security, facilitate the evacuation of those wanting to leave Libya and support their socio-economic reintegration into their countries of origin. This issue should remain high on the African and international agenda. Needless to stress that the return of large numbers of migrant workers is putting an additional strain on the countries concerned, with the risk of social tensions that could degenerate into situations of crisis.

Moving Forward: Asserting Africa's Leadership, Deepening Democracy

As Libya moves ahead to open a new chapter in its troubled history, we need to reflect on the events that took place, to grasp the full implication of the situation and draw lessons for the future.

One of the aspects highlighted by the crisis in Libya relates to the reluctance of some members of the international community to fully acknowledge the AU's role. Yet, lasting peace on the continent can only be achieved if efforts to that end are based on the full involvement of Africa and a recognition of its leadership role because, as stressed by the Summit in August 2009, without such a role, there will be no ownership and sustainability; because we understand the problems far better; because we know which solutions will work, and because, fundamentally, these problems are ours, and our peoples will live with their consequences.

Asserting Africa's leadership will also require that, as highlighted by the PSC on the occasion of its solemn launching, on 25 May 2004, we do not shrink from decisive actions to overcome the challenges confronting the continent; that there is no conflict on the continent that will be considered to be out of bounds for the African Union; and that where grave abuses of human rights occur, the AU is the first to condemn, and to take swift action, consistent with the letter and spirit of the Constitutive Act of the Union and other relevant instruments that we subscribe to.

We also need, as one African scholar put it, to see how best we can expedite political transformation to keep external intervention at bay and avoid situations in which outsiders are arbitrating our internal differences. In this respect, I am pleased to note that, following the request made by the PSC, the AU Panel of the Wise is currently undertaking a comprehensive review of the existing mechanisms relating to democratization and governance in Africa, and will make recommendations on how best to strengthen them. I wholeheartedly look forward to these recommendations.

The military conflict in Libya has now ended with the demise of Col. Gaddafi and Libya is turning a new page. Our task is to help Libya address the many challenges confronting it. The new authorities have to engage all relevant Libyan stakeholders in rebuilding the nation and embark upon the necessary process of reconciliation. The African Union is ready to work with the people of Libya, the United Nations and the international community at large, as the Libyans strive to build a new nation.

The Letter from the Chairperson

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